CITY OF AUSTIN Board of Adjustment Decision Sheet

DATE: Monday September 9, 2019	CASE NUMBER	R: C15-2019-0046
YBrooke Bailey		
YJessica Cohen		
YAda Corral		
Melissa Hawthorne		
YWilliam Hodge		
YDon Leighton-Burwell		
YRahm McDaniel	23	
NDarryi Pruett		1 7
YVeronica Rivera	4 for 197	
YYasmine Smith	1.0	1
Michael Von Ohlen		
Kelly Blume (Alternate)		
YMartha Gonzalez (Alternate)		
YDenisse Hudock (Alternate)		

APPLICANT: Lila Nelson

OWNER: Benjamin S Wu

ADDRESS: 4320 JAMES CASEY ST

VARIANCE REQUESTED: The applicant is requesting a variance(s) from Section 25-2-1067 (H) (Design Regulations) Compatibility Height requirements of Article 10, Compatibility Standards, Division 2 –Development Standards to

- a) decrease the minimum parking setback from 25 feet (required) on the southern and western boundaries to 0 feet (requested) and;
- b) decrease the minimum driveway setback from 20 feet (required) to 0 feet (requested),

in order to construct an accessory parking lot in a "LO-V-NP", Limited Office – Vertical Mixed Use – Neighborhood Plan zoning district. (South Manchaca Neighborhood Plan)

NOTE: The subject property is 110 ft. wide

BOARD'S DECISION: BOA meeting Aug 12, 2019 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Yasmine Smith motion to postpone to September 9, 2019, Board Member Brooke Bailey second on an 11-0 vote; POSTPONED TO SEPTEMBER 9, 2019; Sept 9, 2019 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Jessica Cohen motions to Postpone to October 14, 2019, Board Member Rahm McDaniel seconds on a 10-1 vote (Board member Darryl Pruett nay); POSTPONED TO OCTOBER 14, 2019.

EXPIRATION DATE:

FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
- 2. (a) The hardship for which the variance is requested is unique to the property in that:
 - (b) The hardship is not general to the area in which the property is located because:
- 3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Elaine Ramirez

Executive Liaison

Don Leighton-Burwell

Chairman

CITY OF AUSTIN Board of Adjustment Decision Sheet

DATE:	Monday August 12, 2019	CASE NUMBER: C15-2019-0046
Y_	Brooke Bailey	
Y_	Jessica Cohen	
- _	Ada Corral OUT	
Y_	Melissa Hawthorne	
Y_	William Hodge	
Y_	Don Leighton-Burwell	
Y_	Rahm McDaniel	
Y_	Darryl Pruett	
Y_	Veronica Rivera	
Y_	Yasmine Smith	
	Michael Von Ohlen OUT	
Y_	Kelly Blume (Alternate)	
-	Martha Gonzalez (Alternate) OUT	
Y_	Denisse Hudock (Alternate)	

APPLICANT: Lila Nelson

OWNER: Benjamin S Wu

ADDRESS: 4320 JAMES CASEY ST

VARIANCE REQUESTED: The applicant is requesting a variance(s) from Section 25-2-1067 (H) (Design Regulations) Compatibility Height requirements of Article 10, Compatibility Standards, Division 2 –Development Standards to

- a) decrease the minimum parking setback from 25 feet (required) on the southern and western boundaries to 0 feet (requested) and;
- b) decrease the minimum driveway setback from 20 feet (required) to 0 feet (requested),

in order to construct an accessory parking lot in a "LO-V-NP", Limited Office – Vertical Mixed Use – Neighborhood Plan zoning district. (South Manchaca Neighborhood Plan)

NOTE: The subject property is 110 ft. wide

BOARD'S DECISION: BOA meeting Aug 12, 2019 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Yasmine Smith motion to postpone to September 9, 2019, Board Member Brooke Bailey second on an 11-0 vote; POSTPONED TO SEPTEMBER 9, 2019.

EXPIRATION DATE:

FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
- 2. (a) The hardship for which the variance is requested is unique to the property in that:
 - (b) The hardship is not general to the area in which the property is located because:
- 3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

laine Ramirez

Executive Liaison

Don Leighton-Burwell

Chairman

BOA REVIEW COVERSHEET

CASE: C15-2019-0046 **BOA DATE:** August 12, 2019

ADDRESS: 4320 James Casey St.

OWNER: Benjamin Wu

COUNCIL DISTRICT: 3

AGENT: Lila Nelson

ZONING: LO-V-NP (South Manchaca)

LEGAL DESCRIPTION: 0.1700 AC OF BLK 9D BOULDIN J E ESTATE

VARIANCE REQUEST: Compatibility Setback requirements

SUMMARY: off-street parking serving future use

ISSUES: not enough space for parking

	ZONING	LAND USES		
Site	Site LO-V-NP Limited Office			
North	GO-V-NP; LO-NP	General Office; Limited Office		
South	SF-3-NP	Single-Family		
East	GO-V; LO-NP	General Office; Limited Office		
West	SF-3-NP; LO-NP	General Office; Limited Office		

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District

Austin Lost and Found Pets

Austin Neighborhood Council

Bike Austin

Friends of Austin Neighborhoods

Go Austin Vamos Austin 78745

Hill Country Conservancy

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

Onion Creek Homeowners Assoc.

Preservation Austin

SEL Texas

Sierra Club, Austin Regional Group

South Austin Neighborhood Alliance

South Manchaca Neighborhood Plan Contact Team

South Park Neighbors

Southwood Neighborhood Assn.



July 26, 2019

Lila Nelson 4320 James Casey St Austin TX, 78745

Property Description: 0.1700 AC OF BLK 9D BOULDIN J E ESTATE

Re: C15-2019-0046

Dear Lila,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from;

Section 25-2-1067 (H) (Design Regulations) Compatibility Height requirements of Article 10, Compatibility Standards, Division 2 – Development Standards to;

- decrease the minimum parking setback from 25 feet (required) on the southern and western boundaries to 0 feet (requested) and;
- decrease the minimum driveway setback from 20 feet (required) to 0 feet (requested),

In order to construct an accessory parking lot in a "LO-V-NP", Limited Office – Vertical Mixed Use – Neighborhood Plan zoning district. (South Manchaca Neighborhood Plan)

Austin Energy does not oppose requested compatibility variances, provided all proposed and existing improvements are in compliance with AE clearance criteria requirements, the National Electric Safety Code and OSHA. Any removal or relocation of existing electric facilities will be at owners/applicants expense.

https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1.10.0CLSARE

If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

Eben Kellogg, Property Agent

Austin Energy Public Involvement | Real Estate Services 2500 Montopolis Drive Austin, TX 78741 (512) 322-6050







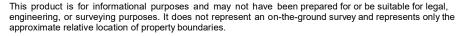
PENDING CASE

ZONING BOUNDARY



CASE#: C15-2019-0046

LOCATION: 4320 JAMES CASEY STREET





Board of Adjustment General/Parking Variance Application

WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, <u>click here to Save</u> the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. *If more space is required, please complete Section 6 as needed.* All information is required (if applicable).

For Office Use Only

FOR OTHE	e Ose Oill	ıy				
Case #		ROW #		Tax #	<u> </u>	
Section 1	l: Applica	nt Statemer	nt			
Subdivision Le						
Lot(s):			Blo	ock(s):		
Outlot:			Div	vision:		
Zoning Distric	t:					
I/We				on b	ehalf of mys	elf/ourselves as
authorized	agent for _					affirm that on
Month		, Day	, Year	, hereby a	pply for a he	aring before the
Board of A	djustment fo	r consideration	to (select appro	priate option be	low):	
○ Erect Type of St		○ Complete	Remodel	○ Maintain	Other:	

Portion of the City of Austin Land Development Code applicant is seeking a variance from:				
Section 2: Variance Findings				
The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.				
NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.				
I contend that my entitlement to the requested variance is based on the following findings:				
Reasonable Use The zoning regulations applicable to the property do not allow for a reasonable use because:				
Hardship a) The hardship for which the variance is requested is unique to the property in that:				
b) The hardship is not general to the area in which the property is located because:				

Portion of the City of Austin Land Development Code applicant is seeking a variance from: COMPATIBILITY STANDARDS Section 25-2-1067 (H) THE SUBJECT PROPERTY IS 110' WIDE. WE ARE REQUESTING TO DECREASE THE REQUIRED SET BACK ON THE SOUTHERN BOUNDARY WHERE THE USE IS SE-5 OR MORE RESTRICTIVE ZONING DISTRICT FROM 25 FT TO ZERO FT (REQUESTED) FOR PARKING AND FROM 20 FT TO ZERO FT (REQUESTED) FOR DRIVEWAY. WE ARE REQUESTING TO DECREASE THE REQUIRED SET BACK ON THE WESTERN BOUNDARY WHERE THE USE IS SE-5-OR MORE RESTRICTIVE ZONING DISTRICT FROM 25-FT TO ZERO (REQUESTED) FOR PARKING.

Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I cor	trend that my entitlement to the requested variance is based on the following infullys.
	sonable Use zoning regulations applicable to the property do not allow for a reasonable use because: Without this variance there is no possiblity of using the bulk of the existing building that is constructed for its reasonable possible use (medical office)
	There is room for no more than approximately two parking spaces (spaces 8 and 9 on the plan) allowing only between 400 and 600.Sf of use in this 2,293.Sf building.
	dship The hardship for which the variance is requested is unique to the property in that: The property is surrounded with commercial use with the exception of the SF3 adjacent to the south. The SF3 adjacent lot is
	included in the Special District for future commercial use. It is only a matter of time before the use will change. The owner of the SF3 adjacent lot has stated they are in support of the variance.
t	The hardship is not general to the area in which the property is located because: The hardship is not general to the area in that surrounding properties have been redeveloped or are in the process of being
	redeveloped largely driven by the St. David's South Austin Medical Center

Area Character

ch the property is located because:
ng (additional criteria for parking variances only) est for a parking variance requires the Board to make additional findings. The Board may grant ance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, adix A with respect to the number of off-street parking spaces or loading facilities required if it is findings of fact that the following additional circumstances also apply:
Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:
The granting of this variance will not result in the parking or loading of vehicles on public
streets in such a manner as to interfere with the free flow of traffic of the streets because:
The granting of this variance will not create a safety hazard or any other condition inconsister with the objectives of this Ordinance because:
The variance will run with the use or uses to which it pertains and shall not run with the site
3

Area	CH	ara	ctor
Area	L.	1818	cuer

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Only Parking and a driveway (no building) are proposed for the compatibility set back. There has been a parking area there in the past with no apparent impairment to any of the adjacent properties. Properly constructing legal parking on this site is consistent with the current zoning district. Parking (additional criteria for parking variances only) Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply: 1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because: 2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because: 3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because: 4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

Section 3: Applicant Certificate

my knowledge and belief. Applicant Signature: Date: Applicant Name (typed or printed): Applicant Mailing Address: _____ City: _____ State: ____ Zip: ____ Phone (will be public information): Email (optional – will be public information): **Section 4: Owner Certificate** I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief. Owner Signature: _____ Date: _____ Owner Name (typed or printed): Owner Mailing Address: _____ City: _____ State: ____ Zip: ____ Phone (will be public information): Email (optional – will be public information): **Section 5: Agent Information** Agent Name: Agent Mailing Address: State: Zip: Phone (will be public information): Email (optional – will be public **Section 6: Additional Space (if applicable)** Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

I affirm that my statements contained in the complete application are true and correct to the best of

Section 3: Applicant Certificate

I affirm that my statements contained in the complet my knowledge and belief.	te application are tru	e and correct to the best of
Applicant Name (1997)	~/	Date: <u>07-01-2019</u>
Applicant Name (typed or printed): Lila Nelson, AT	Permit & Consulting	n II C
Applicant Mailing Address: 4408 Spicewood Springs		<u> </u>
City: Austin		Zip: 78759
Phone (will be public information): 512-657-7349		
Email (optional – will be public information):		
Section 4: Owner Certificate		
I affirm that my statements contained in the complete my knowledge and belief.		
Owner Signature:		Date: 06-01-2019
Owner Name (typed or printed): <u>Benjamin S Wu</u>		
Owner Mailing Address:		
City:		
Phone (will be public information):		
Email (optional – will be public information):		
Section 5: Agent Information		
Agent Name: Lila Nelson		
Agent Mailing Address: 4408 Spicewood Springs Rd	. Ste 400	
City: Austin		Zip: 78759
Phone (will be public information): 512-657-7349		
Email (optional – will be public information):		
Section 6: Additional Space (if applical	ble)	
Please use the space below to provide additional infor referenced to the proper item, include the Section and	mation as needed. T	o ensure the information is (continued on next page).

July 16, 2019

Board of Adjustments Members 505 Barton Springs Rd. Austin, Texas 78704

Subject: Board of Adjustments Case File No. C15-2019-0046 4320 James Casey Street

Dear Chairman and Members,

My name is PASAPS COBODA and I own and live in the property referenced above.

My address is 4322 James Casey Street.

I am aware of the requested variance which would allow parking in the compatibility setbacks next to my property.

This letter is to inform you that I do not object to the requested variance.

Thank you for your consideration.

Sincerely,

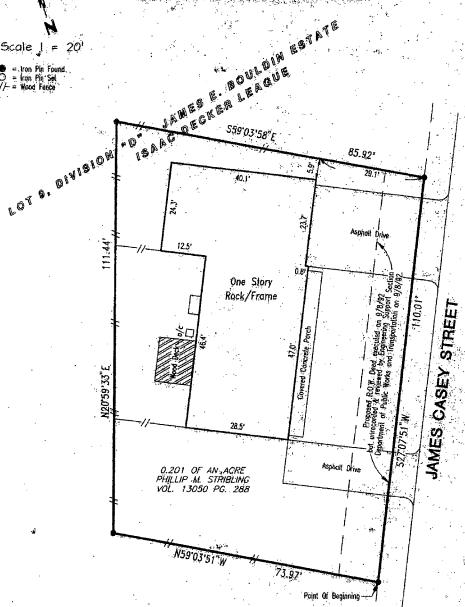
SURVEY PLAT OF

0.201 OF AN ACRE
OUT OF & A PART OF
LOT NO. 9 DIVISION 'D' OF THE JAMES E BOULDIN ESTATE,
IN THE ISAAC DECKER LEAGUE
SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS
LEGAL ADDRESS: 4920 JAMES CASEY STREET.

Scale | =

= Iron Pin Found = Iron Pin Set = Wood Fence

3.



TO: Gracy Title Company & Stewart Title Guaranty Company

STATE OF TEXAS; COUNTY OF TRAVIS:

I, the undersigned, do hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct; and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility easements or roadways, except as shown hereon and that said property has occess to and from a dedicated roadway except as shown hereon

using and Urban Development Federal Insurance unistration Flood Hazard Boundary Map No. <u>48453C-021CE</u>

The legally described property is not within a special flood hazard area as designated by the Department of

STEVE H. BRYSON, R.P.L.S. NO. 4248' STEVE H. BRYSON SURVEYING CO. 1715 Capital of Texas Hing, S. Ste. 2 Austin, Texas 78748' (5 Austin, Texas 78746 (512) 347-9505

JOB NO: 98-401

AUSTINTEXAS.GOV | AIRPORT | LIBRARY | AUSTIN ENERGY | AUSTIN WATER | CONVENTION CENTER | VISITORS BUREAU | OPEN GOVERNMENT

austintexas*gov Zoning Profile Report

4320 James Casey

Q

Questions? Click here for help and contact information.

P-3/17

Disclaime

regarding its accuracy and completeness for any other use. No warranty is made by the City City of Austin as a working staff map and is not warranted The Information on this website has been produced by the

order a Zoning Verification Letter at 512-978-4000 For official verification of the zoning of a property, please

Location: Future Land Use (FLUM): Special District G18 4320 JAMES CASEY ST (3,104,433.54, 10,054,336.97)

Regulating Plan:

LO-V-NF

Zoning:

Zoning Case:

C14-2014-0018 C14-2007-0216

20141106-087

99-0225-70(b)

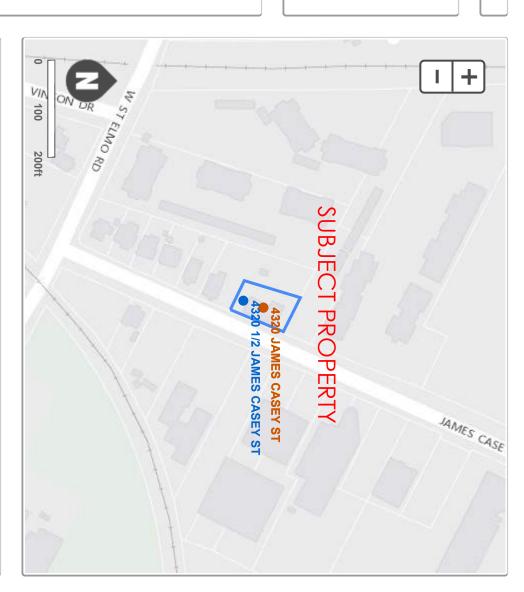
(Mostly after 2000): **Zoning Ordinance**

NEIGHBORHOOD PLANNING 20071213-087

Zoning Overlays:

SOUTH MANCHACA

South Austin Combined NPA



Zoning Guide

and can advise you on the type of development allowed on a property. General however, the Development Assistance Center provides general zoning assistance The Guide to Zoning provides a quick explanation of the above Zoning codes

AUSTINTEXAS.GOV | AIRPORT | LIBRARY | AUSTIN ENERGY | AUSTIN WATER | CONVENTION CENTER | VISITORS BUREAU | OPEN GOVERNMENT

austintexas*gov Zoning Profile Report

4322 James Casey

Q

Questions? Click here for help and contact information.

P-3/18

Disclaimer

regarding its accuracy and completeness for any other use. No warranty is made by the City City of Austin as a working staff map and is not warranted The Information on this website has been produced by the

order a Zoning Verification Letter at 512-978-4000 For official verification of the zoning of a property, please

Location: Future Land Use (FLUM): Special District G18 **4322 JAMES CASEY ST** (3,104,381.53, 10,054,239.75)

Regulating Plan:

Zoning: SF-3-NP

C14-2014-0018

Zoning Case:

20141106-087

(Mostly after 2000): **Zoning Ordinance**

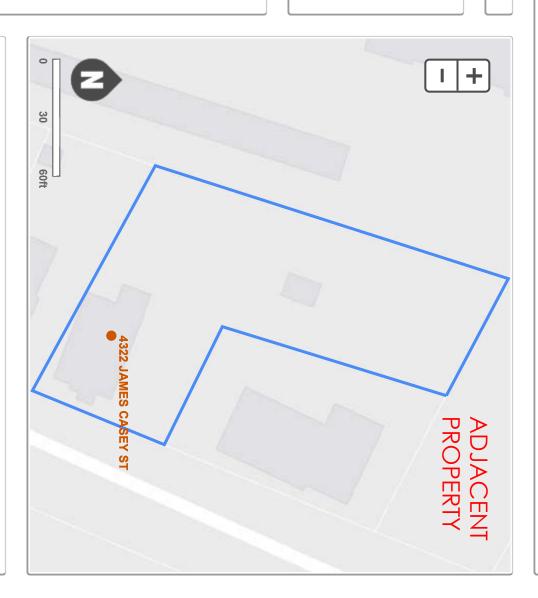
99-0225-70(b)

Zoning Overlays:

NEIGHBORHOOD PLANNING

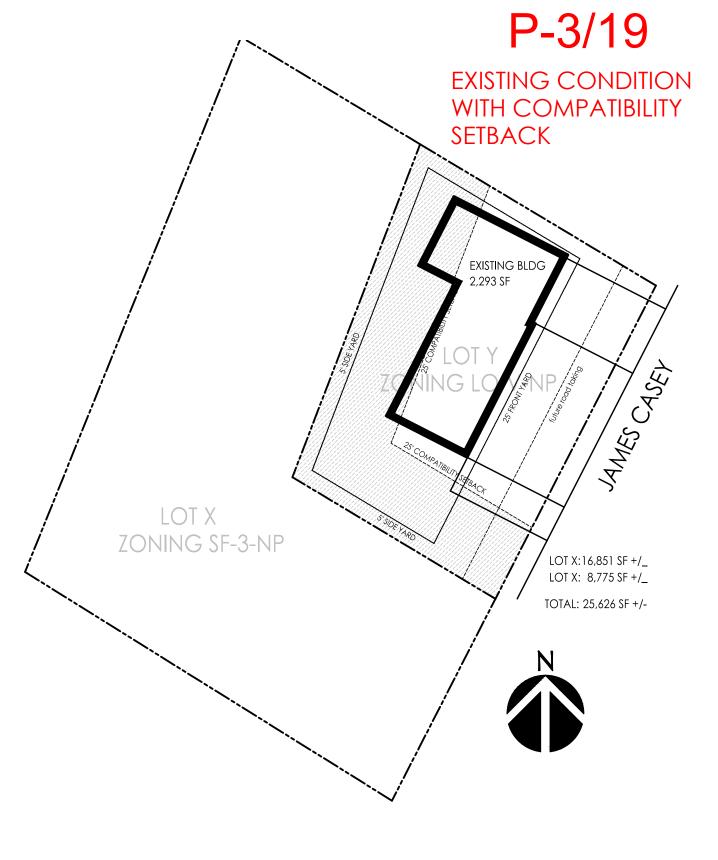
SOUTH MANCHACA

South Austin Combined NPA

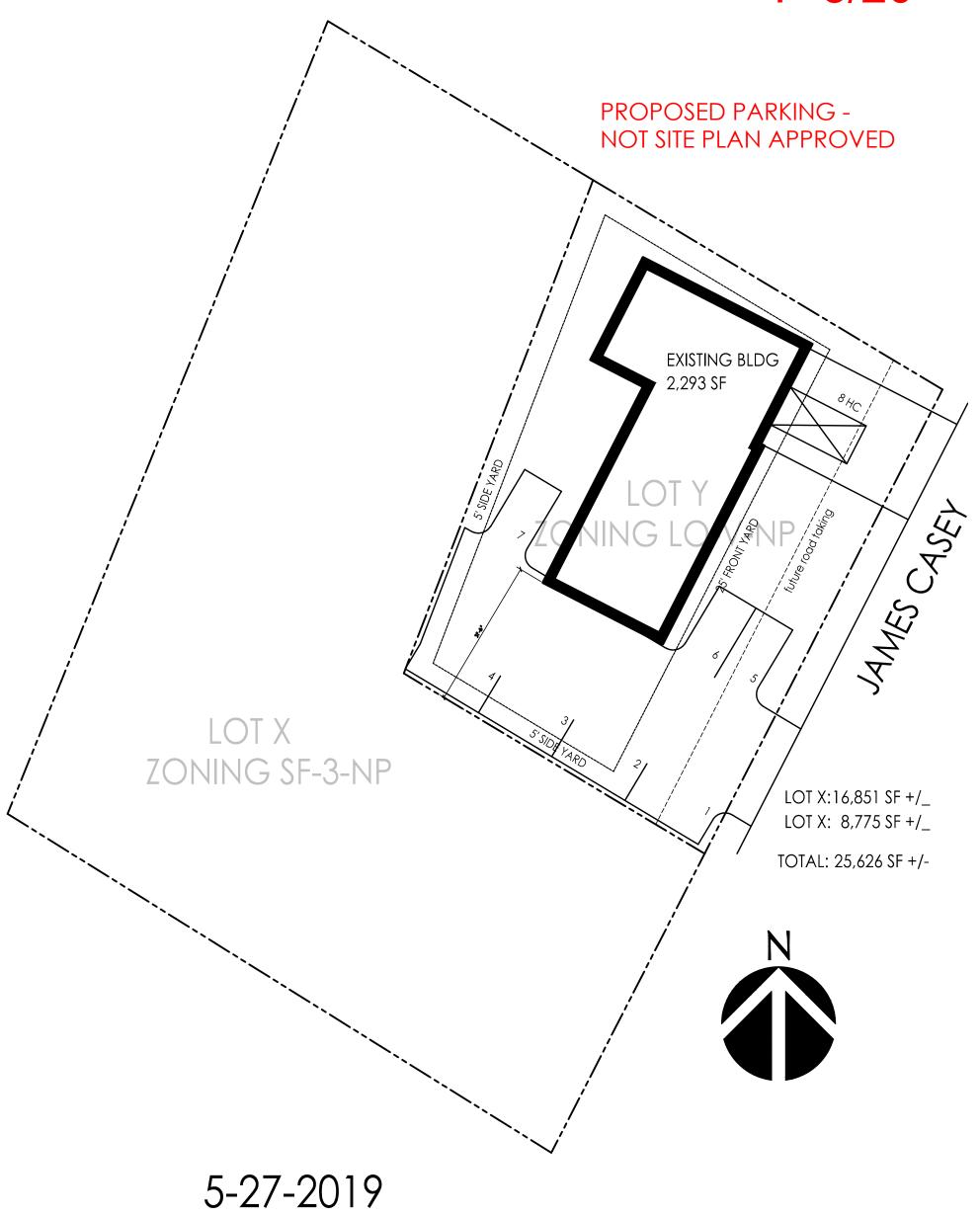


Zoning Guide

and can advise you on the type of development allowed on a property. General however, the Development Assistance Center provides general zoning assistance The Guide to Zoning provides a quick explanation of the above Zoning codes



CASE N AS IS



CASENI AS IS with PARKING



South Austin

2,248 ± SF PROFESSIONAL/MEDICAL FREESTANDING DESIGN BUILD OFFICE SPACE



SOUTH AUSTIN

4320 JAMES CASEY ST. • AUSTIN, TX. 78745

Northwest quadrant of James Casey St. (just north of St. Elmo Rd. West)



PROPERTY AREA HIGHLIGHTS

Build-to-Suit

Free standing building with the flexibility of a customized build out

Great location—walking distance to the South Austin St. David's Medical Center—plans for \$58 million expansion. The expansion also calls for adding two floors in the Medical Center's south tower

Great space for upcoming South Austin Medical Center's general area expansion to serve the rapidly growing population's demand for healthcare

Other area medical includes: Texas Heart & Vascular, Austin Podiatry, Austin Gastroenterology, River Ranch Radiology Ideal Office Space and Location for: Dentistry, Physical Therapy, Chiropractic, Attorney, Insurance or Real Estate

PRESS TO CALL BRIAN



CONTACT
BRIAN NOVY



2,248 ± SF PROFESSIONAL/MEDICAL FREESTANDING DESIGN BUILD OFFICE SPACE



SOUTH AUSTIN

4320 JAMES CASEY ST. • AUSTIN, TX. 78745

Northwest quadrant of James Casey St. (just north of St. Elmo Rd. West)



A FREE STANDING BUILDING WITH THE FLEXIBILITY OF A CUSTOMIZED BUILD OUT

PROPERTY/AREA HIGHLIGHTS

- South of Ben White Boulevard off of south 1st Street
- Prime location and high medical development growth area
- Zoning LO-V-NP:
 - (LO) Limited Office
 - (V) Vertical Mixed Use Building
 - (NP) Neighborhood Plan Combining District
- Convenient Ingress/Egress from James Casey St.
- In close proximity to the Iconic South Congress Ave and South Lamar Blvd. with convenient restaurants, shopping and Austin activity
- AISD area schools (19 Campuses) Akins HS, Becker ES, Bedichek MS, Blazier ES, Casey ES, Crockett HS, Cunningham ES, Fulmore MS, Joslin ES, Menchaca ES, Odom ES, Paredes MS, Pleasant Hill ES, Graduation Pre-

TRAFFIC INFORMATION

COLLECTION STREET	CROSS STREET	TRAFFIC VOLUME	YEAR	DISTANCE
W. St. Elmo Rd.	S. 3rd St.	5,517	2014	0.07 mi
W. St. Elmo Rd.	St. Elmo Rd. W.	4,960	2017	0.07 mi
Vinson Dr.	Philco Dr.	5,360	2017	0.10 mi
Saint Elmo Cir.	St. Elmo Rd. W.	5,620	2017	0.12 mi

paratory Academy at Travis ECHS, Ann Richards YWLA, St. Elmo ES, Travis ECHS, Travis Heights ES, Williams ES.

BUILDING HIGHLIGHTS

- Free standing building
- 1 Story
- Surface Parking—8 ± Spaces
- Monument sign—highly visible

PROPERTY INFORMATION

GLA 2,248 SF \pm ACRES 0.17 AC \pm PARKING 8 \pm Spaces

LEASE TERMS

RENTAL RATE \$25/PSF/MO

TRIPLE NET'S TBD

ADD'L EXPENSES Tenant pays Utilities and Janitorial



CONTACT
BRIAN NOVY









